

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

GAM FUND MANAGEMENT LIMITED,

Plaintiff,

- v. -

VIVENDI, S.A., JEAN-MARIE MESSIER  
and GUILLAUME HANNEZO,

Defendants.

---

x

:

:

:

:

:

:

:

:

:

:

:

:

x

No. 08 Civ. 2058

**STATEMENT  
OF RELATEDNESS**

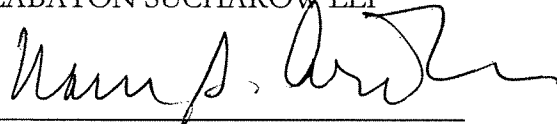
The claims asserted in this action arise under various provisions of the Securities Act of 1933 (the "Securities Act") and the Securities Exchange Act of 1934 (the "Exchange Act"), and common law theories. This Court has jurisdiction over the subject matter of this action and personal jurisdiction over the Defendants pursuant to Section 22 of the Securities Act, 15 U.S.C. § 77v; Section 27 of the Exchange Act, 15 U.S.C. § 78aa; and 28 U.S.C. §§ 1331, 1337(a), and 1367. Plaintiffs generally allege that Defendants made material misrepresentations and omissions of fact concerning the financial condition of Vivendi, S.A. ("Vivendi"), that caused Plaintiffs to suffer damages in connection with its purchases and acquisitions of Vivendi securities.

*In re Vivendi Universal, S.A. Securities Litigation*, No. 02 Civ. 5571 (RJH) (S.D.N.Y.), pending before Judge Holwell, is a class action asserting claims under the Securities Act and Exchange Act against the same Defendants named in the above-titled action. The claims asserted in No. 02 Civ. 5571 arise out of the same facts and circumstances as the claims asserted in the above-titled action. Accordingly, this action should be designated as related to No. 02 Civ. 5571.

Dated: New York, New York  
February 29, 2008

LABATON SUCHAROW LLP

By:



Lawrence A. Sucharow (LS-1726)  
Eric J. Belfi (EB-8895)  
Mark S. Arisohn (MA-2364)  
Anthony J. Harwood (AH-1006)  
Javier Bleichmar (JB-1104)  
Jesse Strauss (JS-0212)  
140 Broadway  
New York, New York 10005  
Telephone: 212-907-0700  
Facsimile: 212-818-0477

*Attorneys for Plaintiff GAM Fund  
Management Limited*